

**Recommended Changes to Wisconsin Statutes  
By the Brownfields Study Group  
(Green items have 2005 bill drafts)**

TOPIC	Draft Language	RECOMMENDATION	Agencies
1. Modify Negotiated Sale In Lieu Of Bidding For Tax Delinquent Brownfields Properties	LRB #1307/1	Create a statutory amendment to s.75.69(2), Wis. Stats., that would allow a county or city of the first class to transfer tax delinquent property it owns, without using the competitive bidding process, if environmental pollution is present and the property meets the definition of a brownfield under s.292.75(1)(a), Wis. Stats.	Revenue DNR
2. Assign Judgment Of A Tax Deed Without Taking Title	LRB# 1308	-allow a county to execute a tax deed under s.75.14(1), Wis. Stats., to an individual under the same conditions as prescribed under s.75.106, Wis. Stats.; -allow the individual who has elected to accept a tax deed under the above conditions to commence an action to bar former owners under s.75.39, Wis. Stats.	Revenue DNR
3. Adoption of Federal Brownfields Tax Deduction into State Tax Code	LRB# 1309/P1	Adopt the federal brownfields tax deduction for cleanup costs associated with non-petroleum contamination	Revenue DNR
4. Changes to Voluntary Party Liability Exemption statute, s. 292.15: <ul style="list-style-type: none"> <li>Eliminate Interim Liability Exemption for Voluntary Parties – (292.15(2)(at)</li> <li>Natural Attenuation at Voluntary Party Sites - clarify</li> <li>Expand definition of landfills that may receive the VPLE.</li> </ul>	LRB# 1287/1	-The first change would eliminate the need for the department to create an insurance mechanism for voluntary parties at the time their site investigation is approved. -The second change provides the department access to a property if natural attenuation has or is suspected to have failed, once a Certificate has been issued. -Presently, only landfills that are not municipal solid waste sites may obtain a VPLE certificate. Expand this to include wider universe of landfills	DNR
5. Local Government Liability Exemption for Certain Types of Solid Waste Sites	LRB# 1288/1	This change provides that a local governmental unit that is exempt from the clean-up requirements for a property is also exempt from solid waste management standards and other legal requirements relating to solid waste for that property. This would not apply to licensed or approved facilities, nor a facility where the local government caused the contamination.	DNR
6. Streamline the Land Recycling Loan Program (LRLP)	LRB# 1289	-Eliminate the use of the Intent to Apply (ITA) form, and the December 31 deadline associated with it -direct financing for Phase I and II environmental assessments, and site investigations.	DNR DOA

**Recommended Changes to Wisconsin Statutes  
By the Brownfields Study Group  
(Green items have 2005 bill drafts)**

TOPIC	Draft Language	RECOMMENDATION	Agencies
7. Modify the Environmental Remediation TIF statute, s. 66.1106, Stats.	LRB# 1390	<ul style="list-style-type: none"> <li>-include delinquent taxes as an eligible cost.</li> <li>-extend the ER TIF time period from 16 to 23 years</li> <li>-adopt the technical changes proposed by Revenue in the FY 2001-03 executive budget and AB 510.</li> <li>- makes changes retroactive to existing ER TIDs</li> </ul>	DOR DNR
8. Language to clarify that certain inspection, engineering, repair and monitoring conditions placed on a property by the DNR, Commerce or DATCP at the completion of an environmental clean up are enforceable and run with the land once placed.	LRB# - 1290	<ul style="list-style-type: none"> <li>- Clarify that the DNR, Commerce and DATCP have the authority to require that environmental conditions be placed on a property, in accordance with clean up rules and agency approvals.</li> <li>- Clarify that DNR can enforce that requirement.</li> <li>- Clarify that the deed restriction runs with the land.</li> <li>- Clarify they will be tracked in DNR's GIS Registry and that a fee is required to place the property on the Registry.</li> </ul>	DATCP DNR Commerce